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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/699,434
	Filing Date	10/31/2003
	First Named Inventor	John Michael O'Brien
	Art Unit	1733
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	108650-135084

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copies of 22 IDS References; Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	SCHWABE, WILLIAMSON & WYATT, P.C.		
Signature			
Printed name	Christopher J. Lewis		
Date	12/16/2004	Reg. No.	51246

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Typed or printed name	Heather L. Adamson	Date	12/16/2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application for:

John Michael O'Brien

Application No.: 10/699,434

Filed: 10/31/2003

For: TIRE HAVING EXPANDABLE
TREAD PORTION

Examiner: Not Yet Assigned

Art Group: 1733

Confirmation No. 2893

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Typed or Printed: Heather L. Adamson

Signature: *Heather L. Adamson* Date: 12/16/2004

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.97(g), the submission of this Information Disclosure Statement (IDS) is not to be construed as a representation that a search has been made, and, pursuant to 37 C.F.R. § 1.97(h), the submission of this IDS is not to be construed as an admission that the information cited in this IDS is material to patentability.

This IDS is being submitted under one or more of the following sections of 37

C.F.R. § 1.97 (as indicated by an "X" to the left of the appropriate paragraph(s)):

 X 37 C.F.R. § 1.97(b). Filed:

- (1) Within three months of a National Application other than a CPA;
- (2) Within three months of entry into National Stage;
- (3) Before mailing of a first Office Action on the merits; or
- (4) Before mailing of a first Office Action after filing an RCE.

 37 C.F.R. § 1.97(c). Filed before the mailing of a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution.

And, ONE of the following:

(1) One statement from 37 C.F.R. § 1.97(e);

 (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

 (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

OR

(2) The fee set forth in 37 C.F.R. § 1.17(p).

 A check in the amount of \$180.00 is enclosed.

 37 C.F.R. § 1.97(d). Filed on or before payment of the issue fee.

And, BOTH of the following:

(1) one statement from 37 C.F.R. § 1.97(e);

 (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

 (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

AND

(2) The fee set forth in 37 C.F.R. § 1.17(p).

 A check in the amount of \$180.00 is enclosed.

Accompanying this IDS is a list of references and a copy of each reference listed therein, EXCEPT copies of references waived under:

(A) one or more of the following sections of 37 C.F.R. § 1.98 (as indicated by an "X" to the left of the appropriate paragraph(s)):

_____ 37 C.F.R. § 1.98(c) as being cumulative (marked with an "*" on the Form PTO-1449).

_____ 37 C.F.R. § 1.98(d) as being previously submitted in parent application
_____/_____, to which the present application claims priority under 35
U.S.C. § 120.

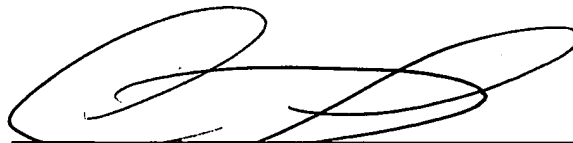
(B) 1273 Off. Gaz. Pat. Office 55 as being submitted with respect to an application filed after June 30, 2003.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393. Small entity status is claimed.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: _____

12/16/04



Christopher J. Lewis
Registration No. 51,246

Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981



PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1
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of

**Complete if Known**

Application Number	10/699,434
Filing Date	10/31/2003
First Named Inventor	John Michael O'Brien
Art Unit	1733
Examiner Name	Not Yet Assigned
Attorney Docket Number	108650-135084

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 1,749,733	03/19/1930	Hitchner	
	2	US- 2,079,501	05/04/1937	Gallagher	
	3	US- 2,174,944	10/03/1939	Leggett	
	4	US- 2,201,632	05/21/1940	Roessel	
	5	US- 2,241,849	05/13/1941	Fuchs	
	6	US- 2,254,318	09/02/1941	Roessel	
	7	US- 2,377,923	06/12/1945	Canley	
	8	US- 2,480,548	08/30/1949	Carhart	
	9	US- 2,559,721	07/10/1951	Kruse	
	10	US- 2,638,384	05/12/1953	Colin	
	11	US- 2,708,470	05/17/1955	Gramelspacher	
	12	US- 2,751,959	06/26/1956	Blomquist	
	13	US- 2,765,199	10/02/1956	Partin	
	14	US- 2,835,302	05/20/1958	Gedge	
	15	US- 2,903,037	09/08/1959	Palmer	
	16	US- 2,926,720	03/01/1960	Gosman	
	17	US- 3,110,339	11/12/1963	Fickel	
	18	US- 3,942,572	03/09/1976	Crandall	
	19	US- 3,995,909	12/07/1976	Van Der Lely	

FOREIGN PATENT DOCUMENTS

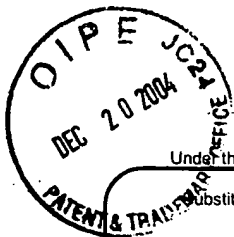
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Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2

of

5

Complete if Known

Application Number	10/699,434
Filing Date	10/31/2003
First Named Inventor	John Michael O'Brien
Art Unit	1733
Examiner Name	Not Yet Assigned
Attorney Docket Number	108650-135084

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	20	US- 4,293,017	10/06/1981	Lambe	
	21	US- 4,676,289	06/30/1987	Yi Su	
	22	US- 4,803,029	02/07/1989	Iversen	
	23	US- 4,815,513	03/28/1989	Hirakawa	
	24	US- 4,909,972	03/20/1990	Britz	
	25	US- 5,109,905	05/05/1992	Lambe	
	26	US- 5,398,742	03/21/1995	Takebayashi	
	27	US- 5,411,070	05/02/1995	Yadegar	
	28	US- 5,419,726	05/30/1995	Switlik	
	29	US- 5,609,700	03/11/1997	West	
	30	US- 5,788,335	08/04/1998	O'Brien	
	31	US- 5,795,414	08/18/1998	Shih	
	32	US- 5,810,451	09/22/1998	O'Brien	
	33	US- 6,092,579	07/25/2000	Hatta	
		US-			
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		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	34	FR 723.612	04/12/1932	Eltgen		
	35	FR 1.066.702	06/09/1954	Vaillant		
	36	DE 198148	06/10/1958	(unknown)		
	37	DE 29 01 606 A1	07/31/1980	Schmitt		
	38	DE 30 01 483 A1	07/23/1981	Heidemann		
	39	JP 58122207 A	07/20/1983	Nakamura		

Examiner
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Considered

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Sheet	3	of	5
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Art Unit	1733
Examiner Name	Not Yet Assigned
Attorney Docket Number	108650-135084

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

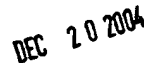
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	40	JP 59114103 A	07/02/1984	Nakamura		
	41	FR 2 556 656 A	07/21/1985	Amara		
	42	EP 236 041 A	09/09/1987	Tohdoh Koumuten		
	43	JP 62299408 A	12/26/1987	Kumano		
	44	JP 63068408 A	03/28/1988	Hirakawa		
	45	JP 63145109 A	06/17/1988	Ooba		

Examiner Signature		Date Considered	
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Attorney Docket Number	108650-135084

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	46	DE 3721500 A1	01/12/1989	Agot		
	47	JP 01122708 A	05/16/1989	Iwama		
	48	DE 3800326 A1	07/20/1989	Kuhn		
	49	WO 9014239 A1	11/29/1990	Debus		
	50	JP 03167010 A	07/18/1991	Nagai		
	51	FR 2659277 A1	09/13/1991	Regis		

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Attorney Docket Number	108650-135084

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[illegible]

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	52	DE 4207613 A1	09/16/1993	Scheibenpflug		
	53	JP 07276926 A	10/24/1995	Kato		
	54	JP 08310204 A	11/26/1996	Aoyama		
	55	JP 2001206021 A	07/31/2001	Yoshimori		

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